

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Number: 3:19CR130
)	Hon. M. Hannah Lauck
OKELLO T. CHATRIE,)	
Defendant.)	

ORDER

(Granting Defendant's Motion for Issuance of Subpoena Duces Tecum)

Defendant's Motion for Issuance of Subpoena Duces Tecum, pursuant to Fed. R. Crim. P. 17(c), requiring production of the stated document(s), is GRANTED. The Court has considered the application and determined that the requested documents satisfy the requirements of *United States v. Beckford*, 964 F. Supp. 1010, 1016, 1027 (E.D. Va. 1997) and *United States v. Nixon*, 418 U.S. 683, 699 (1974), and are necessary to an adequate defense of this case and that the defendant is unable to pay the costs associated with the production of the documents.

Therefore, it is hereby ORDERED that a subpoena be issued for

Cooperation Service Company
Registered Agent – Google LLC
100 Shockoe Slip, 2nd Floor
Richmond, VA 23219

and/or

Custodian of Records, and/or Agent
Google, Inc.
1001 North Shoreline Boulevard
Mountain View, CA 94043

to produce

1. Google policies, procedures, instructions, or manuals concerning geofence warrants, including:
 - a. a description of the different types of location data that Google collects and maintains (e.g., “Location History,” “Google Location Services,” “Web and App Activity” data);
 - b. which data type(s) Google searches in response to geofence warrants, and the rationale, if any, for limiting the type(s) of data searched;
 - c. the process for “anonymizing” and re-identifying the user location data provided to law enforcement;
2. Statistics identifying the percentage of Google users who had enabled Location History, Google Location Services, and Web & App Activity, separately or in combination, during 2019;
3. Records indicating the physical location of the Wi-Fi access points used to estimate the location of users deemed responsive to the first step of the geofence warrant process;
4. The algorithm Google used to estimate the location of users deemed responsive to the first step of the geofence warrant process, including the error rate and any validation studies.

in the Clerk’s Office, United States District Courthouse, 3rd Floor, Richmond, VA 23219, on or before February 21, 2020, at noon, and that counsel for the defendant be allowed to copy the documents and/or disc(s), USB, or hard copy for use in his case in chief.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

M. Hannah Lauck
United States District Judge

Date: _____
Richmond, VA